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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/719,290	12/07/2000	Rajendra Kumar	KHY.P.US0051	6236

7590 05/26/2004

KHYBER TECHNOLOGIES CORPORATION  
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FAIRLAWN, OH 44333

EXAMINER
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NGUYEN, HUY D

ART UNIT	PAPER NUMBER
2681	6

DATE MAILED: 05/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/719,290

Applicant(s)

KUMAR, RAJENDRA

Examiner

Huy D Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 3/26/04
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 03/26/2004 have been fully considered but they are not persuasive.

Regarding claim 1, the applicant stated that neither Grewe nor Jones teach that the detachable handset unit can control the operation of the portable docking display unit. The examiner directs the applicant to Grewe's reference - Column 1, line 64; Column 2, lines 65-66; Column 3, lines 56-57 where the above limitation is taught. The applicant stated that the claimed invention does not require a processor in the portable docking display unit. Even though this limitation could be an allowable subject matter, it is found nowhere in the claim.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5, 10-14, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grewe et al. (U.S. Patent No. 5,625,673) in view of Jones, Jr. (U.S. Patent No. 5,625,673).

Regarding claims 1-2, 4, 10-14, Grewe et al. disclose a portable computing, communication and entertainment device comprising: a detachable handset unit sized for handheld grasping (e.g. cellular telephone, col. 1, line 62) and including a processor and a plurality of first circuits (cell phone inherently includes processor and circuits), processor

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controlling the operation of first circuits; a portable docking display unit including a first display and a plurality of second circuits (e.g. PDA 10, col. 2, line 30); and, processor controlling the operation of at least one-of-second circuits and first display when detachable handset unit is docked with docking display unit (e.g. the PDA is combined with the cell phone to form a single integrated apparatus, col. 1, lines 61-64). Grewe et al. do not clearly teach that the portable docking display unit is dimensioned to receive docking of detachable handset unit. Jones, Jr. teaches a multi-positional PDA handset configuration wherein the handset can be secured during travel [Figs. 1-3; col. 4, lines 2-10]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the display unit of Grewe et al. with a handset configuration as taught by Jones, Jr. for the purpose of securing the handset to the docking display unit during travel.

Regarding claim 3, the combination also teaches a device, as in claim 2, wherein portable docking display unit further includes a second electrical connector (e.g. connector 14, Grewe et al. Col. 2, line 34) for removably engaging first electrical connector (e.g. connector 24, Grewe et al. Col. 2, line 37) when detachable handset unit and portable docking display unit are docked [Grewe et al. - col. 2, lines 49-51].

Regarding claim 5, the combination also teaches a device, as in claim 4, wherein docking display unit further includes a wired communication circuit and a communication jack [Grewe et al. Fig. 9].

Regarding claim 16, the combination does not teach that the handset includes a GPS receiver. The examiner takes Official Notice that GPS is very well known in the art for monitoring the position of an object. It would have been obvious to one of ordinary skill in the

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art at the time the invention was made to include in the handset of the combination a GPS receiver as is well known in the art to help locate the handset easily.

4. Claims 6-9, 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grewe et al. (U.S. Patent No. 5,625,673) in view of Jones, Jr. (U.S. Patent No. 5,625,673) and still further view of Pardo (U.S. Patent No. 6,266,539).

Regarding claims 6-9, the combination of Grewe et al. and Jones, Jr. do not include in the docking display a speaker and a microphone. Pardo discloses a PDA that has a speaker and a microphone [col. 9, lines 28-36]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include in the PDA of Grewe et al. in view of Jones, Jr. a speaker and a microphone as disclosed in Pardo so that users can have their choice of using either the handset or the PDA for voice communication.

Regarding claim 15, the combination also teaches that data exchange is enabled through infrared interface [Pardo - col. 11, lines 23-25].

#### ***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy D Nguyen whose telephone number is 703-305-3283. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Erika A Gary can be reached on 703-308-0123. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

th

  
ERIKA GARY  
PATENT EXAMINER